

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
LARRY A. RUSSELL,	:	
RESPONDENT.	:	ORDER 0001469

Division of Enforcement Case No. 12 RSG 009

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Larry A. Russell
P.O. Box 211025
Milwaukee, WI 53221

Wisconsin Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

Division of Enforcement
Wisconsin Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Larry A. Russell (dob 12/31/1964) is licensed in the State of Wisconsin as a Private Security Person, having license number 108-4064, first issued on 07/01/1997 and current through 08/31/2012. Mr. Russell's most recent address on file with the Department is P.O. Box 211025, Milwaukee, WI 53221.

2. In August 2010, Mr. Russell or his employer submitted an online renewal application for Mr. Russell's private security person license to the Department and answered "NO" to the following question:

HAVE YOU BEEN CONVICTED WITHIN THE PAST TWO YEARS OF A FELONY, A MISDEMEANOR OR A VIOLATION OF ANY STATE OR LOCAL LAW (OTHER THAN TRAFFIC) THAT IS PUNISHABLE BY A FORFEITURE, OR, ARE CHARGES PENDING? (If YES, provide information.)

3. A subsequent Criminal Information Bureau check revealed a conviction for Mr. Russell within the two years preceding August 2010. Division of Enforcement case number 12 RSG 009 was subsequently opened for investigation.

4. Court records obtained during the course of the Department's investigation revealed that in February 2009, Mr. Russell was charged with Disorderly Conduct (Milwaukee County Case Number 2009CM000945). Mr. Russell was convicted of the charge on May 19, 2009.

5. The Criminal Complaint obtained during the Department's investigation revealed that the charges stemmed from an incident in which Mr. Russell impersonated a peace officer.

6. Mr. Russell failed to notify the Department of the conviction within 48 hours after the entry of the judgment of conviction.

7. In resolution of this matter, Respondent Larry A. Russell consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26(6), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent engaged in conduct which reflects adversely on his professional qualification pursuant to Wis. Admin. Code § RL (now SPS) 35.01(2) by violating a law the circumstances of which substantially relate to the practice of a private security person.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 440.26(4m)(b) and engaged in conduct which reflects adversely on his professional qualification pursuant to Wis. Admin. Code § RL (now SPS) 35.01(2) by failing to report a violation to the Department within 48 hours of the judgment of conviction.

4. By the conduct described in the Findings of Fact, Respondent engaged in conduct which reflects adversely on his professional qualification pursuant to Wis. Admin. Code § RL (now SPS) 35.01(5) by pretending to be a peace officer.

5. By the conduct described in the Findings of Fact, Respondent engaged in conduct which reflects adversely on his professional qualification pursuant to Wis. Admin. Code § RL (now SPS) 35.01(17) providing false information in the application for a credential.

6. As a result of the violations noted above, Respondent Larry A. Russell is subject to discipline pursuant to Wis. Stat. § 440.26(6)(a) and Wis. Admin. Code § RL (now SPS) 35.01.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Private Security Person license of Larry A. Russell (license number 108-4064) is hereby SUSPENDED for a period of 15 days beginning 15 days after the date of this Order.

2. Within 90 days of the date of this Order, Respondent Russell shall pay COSTS of this matter in the amount of \$142.00.

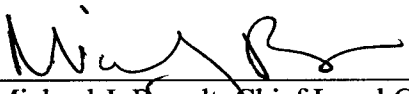
3. Costs in this matter shall be made payable to the Wisconsin Department of Safety and Professional Services and shall be sent to the Department Monitor at the address below:

Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Department in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs in this matter as ordered and as set forth above, Respondent's license (no. 108-4064) may, in the discretion of the Department, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

5. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: 
Michael J. Berndt, Chief Legal Counsel
On Behalf of the Department

4/4/12
Date